



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

January 7, 2023

**BY ECF**

The Honorable Loretta A. Preska  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *United States v. Marte Hernandez*, 13 Cr. 108 (LAP), 15 Cr. 530 (LAP)

Dear Judge Preska:

The Government writes with respect to the status conference currently scheduled for January 10, 2023 in the above-captioned actions. The parties have been engaging in discussions regarding the potential disposition of these actions and believe that they may arrive at a joint agreement that may inform sentencing in the 2013 action and potentially obviate the need for further proceedings in the 2015 action. Accordingly, and with the consent of defense counsel, the Government respectfully requests that the status conference be adjourned for 30 days to a date between February 6 and February 9, 2023 convenient for the Court.

The Government also requests that Speedy Trial time be excluded in the 2015 action until the date of any rescheduled conference, as the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7). Counsel for the defendant consents to this exclusion of time.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/  
Jerry Fang / Frank Balsamello  
Assistant United States Attorneys  
Tel. 212-637-2584 / 2325

cc: Mark I. Cohen (by ECF)

The conference currently scheduled for January 10, 2023 is adjourned to February 6, 2023 at 1:00 P.M. in Courtroom 12A. Speedy Trial time shall be excluded until this conference date in the interests of justice.

*Loretta A. Preska*  
1/9/2023